

FOR ADMIN. USE ONLY

NOTICE OF EMERGENCY TIMBER OPERATIONS

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-67 (12/15/08)

EM. # _____

Date of Receipt _____

Date Accepted by CAL FIRE _____

Date Expires _____

VALID FOR 120 DAYS FROM DATE ACCEPTED BY CAL FIRE.
OPERATIONS CANNOT COMMENCE FOR FIVE WORKING DAYS FROM DATE OF RECEIPT AND A
NOTICE OF ACCEPTANCE IS RECEIVED FROM CAL FIRE

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of PRC § 4592 and 14 CCR §§ 1052-1052.3 to remove timber on an emergency basis. The registered professional forester (RPF) should complete items 1-7 and shall sign the Declaration of Emergency on page two. The timber owner must sign the declaration of intent to pay the yield tax in Item 1.

1. TIMBER OWNER(S) OF RECORD: Name _____

Address _____

City _____ State _____ Zip _____ Phone _____

TIMBER TAX NOTICE: The timber owner is responsible for payment of a yield tax and must complete the following declaration: *I declare, under penalty of perjury, that any applicable timber yield taxes will be paid, pursuant to Section 38115 of the Revenue and Taxation Code* (complete the signature below). **TIMBER TAX EXEMPTION:** Timber owners owe timber yield tax when they harvest trees unless the harvest is exempt (Revenue and Taxation Code sec. 38116). Some small or low value harvests may be exempt from the timber yield tax: timber removed from an operation whose value does not exceed \$3,000 within a quarter, according to BOE Harvest Value Schedules, Rule 1024. If you believe your harvest may qualify for this exemption, please complete items A, B, C, and D below. **For timber yield tax information or for assistance with these questions call 1-800-400-7115**, or write: Timber Tax Section, MIC: 60, State Board of Equalization, P.O. Box 942879, Sacramento, CA 94279-0060; or see the BOE Web Page on the Internet <http://www.boe.ca.gov>.

A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log):

Under 8 mbf 8-15 mbf 16-25 mbf Over 25 mbf

B. Estimate what percentage of timber will be removed during this harvest:

Redwood _____%; Ponderosa/Sugar pine _____%; Douglas-fir _____%; Fir _____%;

Port-Orford Cedar _____%; Cedar (IC, WRC) _____%; Other, conifer _____%; Other, hardwood _____%.

C. Fuelwood over 150 cords? Yes _____ No _____. D. Christmas trees over 3,000 lineal feet? Yes _____ No _____.

SIGNATURE OF TIMBER OWNER: _____ Date _____

2. TIMBERLAND OWNER(S) OF RECORD: Name _____

Address _____

City _____ State _____ Zip _____ Phone _____

3. LICENSED TIMBER OPERATOR(S): Name _____ Lic. No. _____

Address _____

City _____ State _____ Zip _____ Phone _____

4. Describe the nature of the emergency and the need for immediate harvesting of trees. Include the specific conditions that constitute the emergency, its cause, extent and reason for the immediate commencement of timber operations (attach additional pages if needed):

5. Describe the harvesting method to be followed: _____

6. Provide the expected dates of commencement _____ and completion _____ of timber operations.

Page One. NOTE: This form has two pages. Continue on, and complete Page Two. Read the instructions before attempting to complete.

NOTICE OF EMERGENCY TIMBER OPERATIONS, Page Two

- Designate the legal land description of the location of the timber operation. Attach a map of suitable scale showing the location of the timber operation, the logging area, roads and watercourses by class. It would be helpful to include a USGS 7.5 minute quadrangle or equivalent map, describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas.

Section	Township	Range	Base & Meridian	County	Logging Area Acreage (Estimated)	Assessors Parcel # (Optional)
_____	_____	_____	_____	_____	_____	_____

The following are limitations or requirements for timber operations conducted under a Notice of Emergency Timber Operations (Notice, Notice of Emergency, or Emergency Notice):

- This notice must be submitted to and received by CAL FIRE at one of the offices listed below. Timber operations may not commence for five working days after receipt by CAL FIRE unless waiting period is waived by the Director of CAL FIRE.
- 14 CCR §§ 895.1 and 1052.1 define and list emergency conditions. Citing or paraphrasing of these sections does not satisfy the requirements of 14 CCR § 1052.2. The registered professional forester (RPF) preparing the notice must accomplish the following to substantiate the emergency. Describe the nature of the emergency, and the need for immediate cutting in sufficient detail so the reason for the emergency is clear. When the emergency is classified as financial, the following questions must be answered: What is the reason the timber has previously been inoperable or unmerchantable? Why is the harvest opportunity not economically feasible for more than 120 days? Why do the operations have only minimal impact on timberland resources? The financial emergency described in 14 CCR § 1052.1 means financial loss of timber and not loss of profit. Financial loss requires a loss of timber resource.
- Timber operations conducted under this notice must meet minimum stocking standards at the completion of operations. The timber operations shall also comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to "Timber Harvesting Plan," "THP," and "plan." The requirements to submit a completion and stocking report apply. 14 CCR § 1052 describes how exceptions to the rules for non-financial emergencies can be addressed. If this is a financial emergency the conditions specified in 14 CCR § 1038 (b)(1)-(10) must be met.
- The RPF preparing the emergency notice must sign the declaration of emergency and the timber owner must sign the declaration of intent to pay the Timber Yield Tax (PRC § 4592).
- This Notice of Emergency is valid for 120 days from the date accepted by CAL FIRE. If timber operations are to extend beyond the 120-day period, such operations must be described in an approved timber harvesting plan. If there is any doubt that a timber operation will not be completed in 120 days, a THP should be submitted to CAL FIRE early during the 120-day operating period.
- A timber operator with a valid state license must be designated upon submission of this notice.

The following suggestions may help ensure your compliance with the Forest Practice Rules:

- Timber owners, timberland owners and timber operators should obtain and review copies of the Forest Practice Rules pertaining to the Notice of Emergency. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. BOX 3066, SO. SAN FRANCISCO, CA. 94080. or from CAL FIRE, Forest Practice Section, P.O. BOX 944246, Sacramento, CA 94244-2460; or from CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>.
- Contact the CAL FIRE office listed below for questions regarding the use of this notice.

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Alameda, Colusa, Contra Costa, Del Norte Humboldt, Lake, Marin, Mendocino, Napa,
San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties.

CAL FIRE
Forest Practice Program Manager
135 Ridgway Avenue
Santa Rosa, CA 95401

Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta,
Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties.

CAL FIRE
Forest Practice Program Manager
6105 Airport Road
Redding, CA 96002

Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles,
Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino,
San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties.

CAL FIRE
Forest Practice Program Manager
1234 East Shaw Avenue
Fresno, CA 93710

I declare, under penalty of perjury, that an emergency exists requiring immediate timber harvesting activities within the meaning of 14 CCR §§ 1052-1052.3:

RPF Signature: _____ Lic. No. _____ Date _____

RPF Printed Name: _____ Phone _____

Address _____ City _____ State _____ Zip _____